



City of Riverside, California
Personnel Policy and Procedure Manual

Approved:

Human Resources Director

City Manager

Number: I-9 Effective Date: 09/01

SUBJECT: **NEPOTISM**

PURPOSE:

To provide guidelines concerning the employment of relatives.

DEFINITIONS:

Relatives - Within the third degree by blood or marriage shall include the following:

Spouse	Sisters	Nephews
Children/Stepchildren	Brothers	Grandchildren
Parents/Stepparents	Aunts	Grandparents
Spouse's Parents	Uncles	Great-grandchildren
Cousins	Nieces	Great-grandparents

Relatives shall also include persons who fall into the above categories by a previous marriage or adoption.

Marital status - Defined as an individual's state of marriage, non-marriage, divorce or dissolution, separation, widowhood, annulment, or other marital state for the purpose of this policy.

Spouse - Defined as a partner in marriage as defined in California Family Code Section 300.

POLICY:

City Charter Section 709, Nepotism, states, "Neither the mayor nor city council shall appoint to a salaried position under the city government any person who is a relative by blood or marriage within the third degree of the mayor or any one or more of the members of the city council; nor shall any department head or other officer having appointive power appoint to a salaried position under city government any person who is his/her relative by blood or marriage within the third degree."

No employee shall have direct supervision or control over, initiate, or participate in the following personnel actions which include, but are not limited to, appointment, transfer, promotion, demotion, layoff, suspension, termination, recall, work assignments, performance evaluations, time keeping, merit increases, grievance adjustment, training, or any other personnel action that may affect another City employee who is a relative as specified above.

The implementation of this policy requires a case-by-case consideration and individualized assessment of the particular work situation. Every department head and/or supervisor having appointive power shall determine whether, based upon family relationship or marital status, the appointment of an employee, prospective employee, or applicant/candidate has the potential for creating adverse impact on supervision, safety, security, morale or involves potential conflicts of interest where both parties to a relationship may be employed in the same department, division or facility.

Notwithstanding the above provisions, the City of Riverside retains the right:

1. To refuse to place a party to a relationship under the direct supervision of a relative where such has the potential for creating adverse impact on supervision, safety, security, or morale.
2. To refuse to place relatives in the same department, division, or facility where such has the potential for creating adverse impact on supervision, safety, security, or morale, or involves potential conflicts of interest.

Where situations currently exist that may be in conflict with this policy, every effort shall be made to reasonably address the situation so as to avoid any future conflict.

PROCEDURE:

Responsibility	Action
Department Head	<ol style="list-style-type: none"> 1. Effectively communicates the intent and content of this policy to all management and supervisory personnel. 2. Ensures that employees throughout the Department are made aware of the existence of the Nepotism Policy. 3. Monitors the implementation of the Nepotism Policy and resolves on a case-by-case basis any conflicts with the policy that may exist upon implementation or arise subsequent to its implementation. 4. Consults with the City Manager, City Attorney, or Human Resources Director as needed to resolve any conflicts or discrepancies that may occur.

Human Resources Director

5. Ensures that the policy is in conformance with applicable federal, state, and local laws and regulations.
6. Effectively communicates the contents of the policy to the public and employees.
7. Works with departments to resolve any conflicts that may occur.
8. Brings to the attention of the department head initially or the City Manager any conflicts with the policy that are not resolved.

Supervisor and Department Head

9. Reviews the policy and applies it to employees under his or her immediate supervision. Identifies any conflicts that may exist.
10. Verifies conflicts with the policy by a review of the employee's or prospective employee's application, or by discussing the potential conflict with the employee privately and confidentially.
11. Arrives at alternatives to attempt to reasonably address the potential conflict by undertaking a case-by-case review and individualized assessment of the work situation.
12. Consults with the department head or next level of supervision to arrive at an accommodation or resolution of the conflict based upon consultation where necessary with the Human Resources Department or City Attorney's Office.